

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: November 8, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer

Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

Before the meeting was called to order, Chairman Sanchez stated that the Board wished to recognize Sharon Radanovich, Solid Waste Manager, for being honored with a Certificate of Excellence for the 2005 Governor's Pride in Arizona Award in the area of Community Leadership, which she received from the Office of Arizona Governor Janet Napolitano on October 25, 2005. He stated that of the 10 awards presented, Ms. Radanovich was the only individual that was recognized; the others were groups or communities. On behalf of the Board, Chairman Sanchez congratulated Ms. Radanovich for this special award.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Steve Besich led the Pledge of Allegiance, and Reverend Barbie Morton of the First Christian Church delivered the Invocation.

Linda Haught-Ortega, Recorder, requested approval of the revisions to the Recorder's Office Information Request Form and voter registration/election fees. She stated that the purpose for revising the Information Request Form was to add applicable Arizona Revised Statutes (A.R.S.) to the form. She stated

the fee increase came about after working with the Town of Payson in a 2004 election, which resulted in a high fee charged to the County for a lot of extra items including the need for an Information Technology person from Phoenix. Ms. Ortega stated the fee increases being requested are an increase for the roster paper from \$.19 to \$.20 per page, and an increase in labor from \$10.00 to \$15.00 per hour. Supervisor Dawson inquired if the early ballot processing charge of \$2.50 is per name and if that amount increased. Ms. Ortega replied that the \$2.50 charge is per name for special elections, but she did not believe that was an increase; however, she would check with her staff. Steve Besich inquired if the statute had changed to allow for an increased labor charge as he thought the statute set the rate at \$10.00 per hour. Ms. Ortega stated that the fee of \$10.00 per hour was approved by a previous Board, per A.R.S. § 11-201, which does not specify a specific rate. Supervisor Dawson stated that she felt \$10.00 per hour was adequate at this time. Bryan Chambers of the County Attorney's Office stated that ARS § 39-121.01 provides for a fee to be charged, but does not provide for the amount of the fee. He stated that the fees should be based on costs, and if the cost is similar to the fee then it would be "defensible." After continued discussion, it was the consensus of the Board that the Labor fee remain at \$10.00 per hour and that perhaps a \$15.00 per hour fee could be charged for overtime for special services to cover those extra costs. Ms. Ortega stated that the fee schedule would be brought back to the Board after she had the opportunity to do more research with other counties. Vice-Chairman Martin made the motion that the Recorder's Office Information Request Form be approved with the addition of the statutory language, and that the fee schedule would be brought back to the Board at a later date. Supervisor Dawson seconded the motion, and the Board unanimously approved said motion.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened as the Gila County Library District Board of Directors to approve Library Service Agreements between the Gila County Library District and the Globe Public Library, Hayden Public Library, Isabelle Hunt Memorial

Library, Miami Memorial Library, Payson Public Library, Tonto Basin Public Library, and Young Public Library for the period July 1, 2005, through June 30, 2006. Jacque Griffin, Assistant County Manager/County Librarian, stated that the Library Service Agreements contain the same language as in past years; only the dollar amounts have changed by a 2% increase over last year's budget. She stated that the Library Service Agreements are documents that allow cooperating services between the Gila County Library District and the following individual community libraries that are located in unincorporated areas where the County provides the bulk of the funding: 1) Globe Public Library in a matching amount up to \$97,182; 2) Hayden Public Library in a matching amount up to \$43,356; 3) Isabelle Hunt Memorial Library payment of \$85,500; 4) Miami Memorial Library in a matching amount up to \$36,312; 5) Payson Public Library in a matching amount up to \$190,743; 6) Tonto Basin Public Library payment of \$49,431; and, 7) Young Public Library payment of \$47,064. Ms. Griffen stated that the Miami Public Library is hoping to improve its services, and because they are currently under-funded, she may come back to the Board at a later date with a request for additional funding. She also stated that the San Carlos Library Agreement would be presented to the Board for approval at a later date as it had not yet been received and that the funding will now be handled through the San Carlos Apache Tribe rather than a private Library Board. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the seven Library Service Agreements as listed above.

Terry Smith, Deputy Director of the Community Development Division/Planning & Zoning Manager, requested the approval of Planning and Zoning Department Case No. S-05-01, approval of a final plat of Ellison Creek Homes consisting of sixty residential lots. He stated that the subject property was previously U.S. Forest Service land and was recently sold through the land exchange process to the Diamond Point Summer Homes Association (DPSHA). The Planning and Zoning Commission initiated the pre-zoning on this property, which became effective upon the completion of the land exchange and recorded

on October 4, 2005. Mr. Smith read the staff report to the Board which included the following information. The property was pre-zoned to R1L-D40 (Residential Limited with a density of 40,000) which equates to one acre. The subject site is surrounded by U. S. Forest Service property. The Comprehensive Plan suggests .01 to .04 du/ac. However, the pre-zoning was approved prior to adoption of the Comprehensive Plan. Mr. Smith stated that approval of the final plat of the Ellison Creek Homes was unanimously approved by the Planning and Zoning Commission on October 20, 2005, with the following recommendations. Typically, lands being subdivided must follow the guidelines within the subdivision regulation. The guidelines include drainage, paved streets, curbs and gutters, water and wastewater system approval by County and State agencies. The property has been used as summer cabins and home sites for many years. The final determination as to improvements, if any, will be at the discretion of the Board of Supervisors. Open space held in common by the DPSHA will be subject to subdivision laws in the event that any portion is to be sold or divided for the purpose to be sold by the DPSHA. If any individual septic system fails to the extent of being condemned by the Gila County Health Department, the system shall be replaced in accordance with and approved by the Gila County Health Department. If the existing public water system fails, a new system shall be designed and constructed meeting Gila County minimum standards, existing at the time of the failure, and approved by the Arizona Department of Environmental Quality. Mr. Smith stated that Susan Reed of the DPSHA was present if the Board had any questions. Supervisor Dawson inquired about the location of the property. Mr. Smith passed out maps of the area to the Board and explained the location. Supervisor Dawson then inquired about the source of water for this area. Mr. Smith replied that the DPSHA has its own water supply. Supervisor Dawson inquired how many of the 60 lots have been sold and developed. Mr. Smith stated that there are no improvements except water and septic with the roads remaining private. Upon motion by Vice-Chairman

Martin, seconded by Supervisor Dawson, the Board unanimously approved Planning and Zoning Department Case No. S-05-01.

Shannon Coons, Fiscal Coordinator for the Public Works Division, requested the adoption of Resolution No. 05-11-03 authorizing the Public Works Division to submit a Local Transportation Assistance Funds (LTAF II) Grant Application in the amount of \$25,592.91 to be used for various transportation programs within Gila County. She stated that a date is not yet available from the State as to when the money will be distributed. Supervisor Dawson inquired if this was just a request for approval to submit the application for funds. Ms. Coons replied in the affirmative. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 05-11-03. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Ms. Coons requested the approval of Professional Services Contract No. 319-106/10-2005 between the Public Works Division and Terracon Consultants in the amount of \$17,600 for the re-design and engineering of the Fairgrounds retaining wall that was damaged by the flooding that occurred in January and February of 2005. She reiterated that this request is only for the engineering portion of the project. She stated that Terracon Consultants will also assist in preparing a Request for Proposal so that at a later date the County can go out for bids to do the project, which must be completed by March 1, 2006. Ms. Coons stated that FEMA (Federal Emergency Management Agency) estimates that the total project will cost \$146,000; the County had estimated \$220,000, but this was based on the worst-case scenario. Once the project is completed, an application will be made to FEMA for reimbursement of 75% of the cost with the County required to contribute a 25% cash match requirement. Of that match requirement amount, Steve Besich, County Manager/Clerk, advised that some of the staff time can be applied. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Professional Services Contract No. 319-106/10-2005 with Terracon Consultants in the amount of \$17,600.

Marian Sheppard, Chief Deputy Clerk, requested authorization to advertise Call for Bids No. 103015-1, an annual contract for all advertising, publications and printing required to be done or made by all Gila County departments. Ms. Sheppard stated that she spoke with Ellen Kretsch, Publisher of the Arizona Silver Belt, and reiterated that the bid specifications will be for all newspaper advertising for the County, where as in the past the bids were just for legal and classified advertising. She stated Ms. Kretsch had no problem with the change. The request will be sent to both the Arizona Silver Belt and the Payson Roundup newspapers. A motion was made by Supervisor Dawson and seconded by Vice-Chairman Martin. Mr. Besich pointed out that the Bid Proposal stated that bids should be sent to Don White, former Purchasing Manager. Ms. Sheppard stated the name should be Evelyn Esparza, not Don White, and has since been changed. The Board then unanimously voted to authorize the advertisement of Call for Bids No. 103015-1.

Ms. Sheppard requested the approval of Gila County Order No. LL 05-06, an application submitted by William Schneider for a new #12 restaurant Liquor License at the Lakehouse Grill located in Roosevelt, Arizona. She advised that other County departments reviewed this application to ensure that all County permitting requirements have been met. Ms. Sheppard recommended the Board's approval of the Liquor License application. Chairman Sanchez inquired about the location of the Lakehouse Grill. Mr. Besich stated that it was formerly the Quails Nest. Ms. Sheppard stated that when the Quails Nest owner shut down the business, he took the liquor license with him; hence this new application by Mr. Schneider. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Gila County Order No. LL 05-06 as noted above. This application will be forwarded to the State Department of Liquor Licenses and Control for final review and approval.

Ms. Sheppard requested Board approval on items 1-4 of agenda item number 7 and stated that she would like to address this item in four parts, but with one motion at the end. The items are as follows:

1) Removal of parcel numbers 201-10-102-4 and 207-07-054-2 from this year's annual tax sale newspaper advertisement. Ms. Sheppard stated that every year the County Treasurer issues Treasurer's Deeds for parcels of land when a property owner has not paid property taxes for 7 consecutive years. This year 11 parcels of land were newly deeded to the State by the Treasurer. She explained that the Engineering Department, Assessor's Office and Treasurer's Office review the properties to determine if there is a reason that any of the properties should not be sold. The current policy has been that when those properties are identified as being located in a County right-of-way, etc., the Chief Deputy Clerk advertises the information pertaining to the subject property with a strikeout through the information signifying that the property is located in a moratorium area and will not be sold. The property information is then added to a "Not for Sale" listing. Ms. Sheppard proposed to change the procedures from this point forward after discussing the current policy with the County Attorney's Office and other county clerks. The new procedure would be to request Board approval not to advertise those properties which have been identified as being in a County right-of-way, etc. as is the situation with the two properties listed above.

2) Ms. Sheppard requested Board approval to proceed with the administrative process of selling the two parcels listed in item 1 to Gila County for \$1 each.

3) Ms. Sheppard requested Board approval to proceed with the administrative process of selling the following properties to Gila County for \$1 each. (In previous years these properties were placed on a "Not for Sale" list or held by the County Treasurer due the properties being located in a County floodway, right-of-way, etc.): 201-10-038-2 – in a floodway; 201-10-039-5 – in a floodway; 207-08-052-9 – Main and Golden Hill; 207-09-188T – Scott Avenue; 207-09-501-9 – Short Avenue; 207-20-048-B0 – Road between Euclid and Rose Lane; 207-20-048-C9 – Road between Euclid and Rose Lane; 207-30-011-3 – Property located on a road, which could cause a land lock; 207-30-012-6 – Property located on a road, which could cause a land lock; 301-06-005-G7 –

Located on Fossil Creek Road; 301-18-482-A9 – Part of Hard Scrabble Road; and 304-22-014-E2 – Road in Round Valley.

4) Ms. Sheppard requested Board approval to re-advertise all remaining properties for sale which are currently listed on the “Not for Sale” list and certain other properties of which the Treasurer’s Deeds were previously held by the Treasurer. She advised that it was with the best of intent that the Treasurer held the Treasurer’s Deeds for properties that contained “problems”; however, A.R.S. § 42-18301 states, “On or before the first Monday in November of each year, the county board of supervisors shall prepare a list of the real property in the county that is held by the state by tax deed.” Ms. Sheppard advised that she and the Treasurer’s Office have reached an agreement that each year the Treasurer will submit Treasurer’s Deeds for all newly deeded properties to the Clerk of the Board of Supervisors Department to ensure a complete historical listing of these properties. She advised that the advertisement will state that these properties will be sold through the County’s sealed bid process, not by auction. Ms. Sheppard stated, *“This will clean up a lot of problems created over the years because in the past the County Attorney’s Office has forbidden me to contact people.”* She gave the example of one of these parcels being located in the middle of someone’s property. This whole process will now allow Ms. Sheppard to contact the people who the property affects first, and if purchased by that person, the property owner may contact the Assessor to combine the two parcels into one. If that party is not interested, it would allow other people to bid on said parcel. Individuals interested in purchasing these parcels will do so by submitting a sealed bid. Chairman Sanchez inquired how many parcels were on the “Not for Sale” list. Ms. Sheppard stated that she did not have the list with her but thought there were approximately 30 parcels. Ms. Sheppard stated that she will advertise the entire list in the newspaper as well as placing it on the County website. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved items 1-4 of agenda item number 7 as listed above.

Steve Besich requested Board discussion on any new items in reference to Gila County water issues. Mr. Besich advised that last Friday he met with Richard Petrus, Manager of Phoenix Operations for Hydro Geo Chem Inc., and Herbert Schumann, Consulting Hydrologist for the County, and shortly they will be presenting a plan to develop an organized monitoring method for maintaining the integrity of the Star Valley (now known as Diamond Star) water.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda items A-H, as follows:

- A. Approved three Public Works Division policies as follows: DPW #05-06 On-Call Policy, DPW #05-07 Dust Palliative Policy, and ENG #05-04 Care and Maintenance of Surveying Equipment Policy.
- B. Approved the renewal of Barbara Brewer's position on the Gila County Cooperative Extension Advisory Board for a second six-year term, which will run from January 1, 2006, to December 31, 2011.
- C. Approved the renewal of an Intergovernmental Agreement between the Arizona Division of Emergency Management and the Gila County's Sheriff's Office in order to receive funds from the 2005 Homeland Security Grant Program.
- D. Approved three amendments to three separate contracts between the Arizona Department of Economic Security and the Gila Employment and Special Training Department to provide continued services to DDD clients, as follows: Amendment #3 to Contract DDD-704014, Amendment #5 to Contract DDD-704012, and Amendment #10 to Contract DDD-704011.
- E. Approved the November 1, 2005, BOS meeting minutes.
- F. Approved the October 2005 monthly departmental activity report submitted by the Clerk of the Globe Regional Constable.
- G. Approved the personnel reports/actions for the week of November 7, 2005, as follows:

Hire to County Service:

- 1. Legal Secretary I – County Attorney – 11-01-05 – General Fund -

Susan Rawdon

2. Community Health Worker – Health – 10-31-05 – Grant Fund -

Denise Lopez

End Probationary Period:

3. REPAC Deputy Program Manager – Community Services – 11-14-05 – Grant Fund - Christina Throop

4. GIS/Draftsman Technician – Assessor – 11-14-05 – General Fund - Jeremy Burk

5. Engineering Technician IV – Engineering – 11-14-05 – Engineering/Survey Fund - Christopher McDonald

6. Court Clerk I – Payson Regional Justice Court – 10-31-05 – General Fund - Carol Fagan

7. Court Clerk I – Payson Regional Justice Court – 10-31-05 – General Fund - Amy Myers

Position Review:

8. Reclassification – Court Reporter – Superior Court – 10-17-05 – General Fund - Barbara Shepherd – Reclassification based on 10 + years experience

9. Anniversary Date Increase – 10-17-05 – Mary Hawkins

10. Anniversary Date Increase – 10-31-05 – Kimberly Salcido, Sunny Mayorga, Denice Klassen, Patricia Spurgeon, Maria Bruso, Malissa Buzan, Edward Wisdom, Steve Leneberg, Nancy Frandsen, Richard Short

11. Anniversary Date Increase – 11-14-05 – Ty Harmon, Jo Nelle Greenwalt, Julia Vasquez, Celia Kenyon, Stephanie Cruz, Linda Rodriguez, Loretta Puzzi

H. Approved the finance reports/demands/transfers for the week of November 7, 2005 (separate handout), as follows: \$499,230.40 was disbursed for County expenses by voucher numbers X147959 through X148064, X374869 through X375100, X375102 and X375107 through X375121.

There were no hand-issued warrants. **(An itemized list of vouchers is permanently on file in the Board of Supervisors.)**

At this time each Board member and the Chief Administrator were presented the opportunity to give a brief summary of current events as allowed by A.R.S. §38-431.02(K).

There being no further business to come before the Board, Chairman Sanchez adjourned the meeting at 11:20 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk